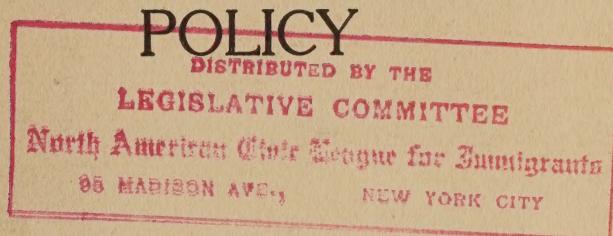


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NEEDED—A DOMESTIC IMMIGRATION POLICY

BY FRANCES A. KELLOR

THE Federal Immigration Commission which has been at work three years has made its report. To those interested in our foreign policy, especially the two camps of restrictionists and anti-restrictionists, the recommendations will be welcome, for they are definite and clear the field for restrictive action and promise facts with which to support the recommendations made. To that small group of dreamers who had expected the promulgation of a domestic policy, who had waited for the constructive note, who had hoped that the Government might be urged to accept some of the responsibilities which it now leaves to benevolence, the overwhelming negative position of the commission is a disappointment. The commission's investigations may provide unwittingly the material for the welding of a domestic policy, but its conclusions do not foreshadow it. The commission recommends, first, the better protection of the United States against criminal and other debarred classes; second, sufficient appropriation to enforce the immigration laws; third, satisfaction with the new steerage law, but recommends that inspectors be placed on board each ship; fourth, different method of appointment of Boards of Special Inquiry; fifth, action on the part of the States to prevent exploitation and a limited extension of the Federal Division of Information; sixth, a different method of determining the necessity for importing skilled labor; seventh, approval of Chinese, Japanese and Korean Exclusion acts, and the necessity for an understanding with the British Government for the further exclusion of East-Indian laborers; and eighth, further restriction of unskilled laborers.

It will be seen that seven of the proposed regulations deal with improvements in existing restrictive machinery and with exclusion. One recommendation only, the fifth, takes

up the questions of exploitation: safeguarding savings sent abroad, encouragement of permanent residence, naturalization and a better distribution. Instead of sounding a strong, clear, definite national note of a domestic policy with reference to the conditions which now exist throughout the country, these matters are respectfully referred to the various States, and even here not the constructive, but the negative note of increased deportation is struck. The extension of the Division of Information, designed to promote distribution, is recommended in so colorless a way that it carries little conviction.

Officials charged with either formulating or enforcing the Government's policy recognize that it has two distinct phases, no matter how closely related are causes and results, which call for a different method of treatment. One is negative, national and international in scope, and deals with the admission or exclusion of aliens. It is determined by international agreements, treaties, economic conditions and expansion of trades. So far as expressed in regulations, these are definite and comprehensive and adequate machinery is provided for their enforcement. That they are not wholly practical and humane is nowhere better shown than that for the year ending June 30th, 1910, 24,270 persons under this system were allowed to break up their homes and come to our shores, only to be deported, a hardship of travel both ways that should not be tolerated. With this policy of exclusion of admission of aliens the commission has apparently adequately dealt.

The second phase is the assimilation of the immigrant after arrival—constituting our domestic policy. This necessarily includes distribution, protection and education after he is admitted to residence. This is an ever-pressing question, regardless of the number and nationality, which may increase or decrease the volume and character of the problem, but which in no wise changes the essential features of the policy to be adopted. On this matter of domestic policy the commission is singularly and disappointingly silent. Whatever study it has made of conditions in the country is apparently largely used in recommendations for exclusion. No matter how strict these laws are made, they will not solve the problem already confronting the nation and States.

What are the obligations and requirements exacted from the alien on admission to this country by our foreign policy?

He must possess a sound body, a minimum amount of money, the assumption being that he is to earn his living as a laborer. He must possess fair intelligence and a good record. Generally, upon arrival, he must measure up in obedience to a most complex enactment of Federal, State and municipal regulations, unheralded by soldiers or other familiar exponents of government. The regulations for admission also admit aliens without industrial, and frequently without any school, training, and women and children wholly unfamiliar with the freedom, rights and protection accorded to such in this country.

The very conditions of entrance impose on the Government at once the imperative necessity for distribution, education and protection if the domestic policy is to be assimilation. They are strangers and must find homes; they are unemployed and must find work; they are ignorant and of great faith in the new country and must find protection; they do not know our language, which is essential to industrial progress; there are children to enter our schools and women entitled to rights and privileges as yet unknown to them; when savings begin, safe depositories must be found; because the families of many immigrants are still in the home country, savings must be shared and a safe means of communication found.

These and many similar influences present a distinct problem unknown to the native-born. The alien will not, and therefore cannot, be distributed unless others of his own race are in the locality, owing to differences of language, customs and racial traits. He is not adequately protected by prevailing general laws, but special laws must be drafted to meet his needs. This is amply illustrated by the report on immigrant banks, by the New York State Commission of Immigration, which has been verified in every particular by the recent special report on this subject by the Federal Immigration Commission. It is also seen in the report on notaries public of the New York State Immigration Commission, where it was shown that the functions of this official among foreigners is very different from that among American-born, and to meet such conditions a special law was passed in New York in 1910. The alien cannot be educated except through special schools or classes in English and civics, and he cannot become a skilled workman without opportunity for industrial training. Consequently, he can-

not become assimilated without a special process. Furthermore, there exists in very many localities and among very many classes of people an unreasonable prejudice, amounting to the feeling and belief that foreigners are a different kind of people from "our people," and that they are, therefore, warranted in according them different treatment not sanctioned by the Golden Rule. No process of assimilation will, therefore, be successful which does not educate and amalgamate the native-born American as well as the alien. Inquiry shows that nation, States and municipalities have formulated no policy looking toward an assimilation which reckons with these various elements and conditions.

Assuming that our domestic policy is assimilation, which is strengthening in the immigrant that inheritance which will enrich our national life, as well as bringing to him what America now holds of freedom, justice, opportunity and benevolence, what are the means adopted by the Government to accomplish this? The essentials of such a policy obviously do not lie in regulations, repressions and negation, because these characterize our foreign policy. They must, therefore, lie in fair industrial opportunity, distribution, protection, education and equal protection of the laws.

First, industrial opportunity and distribution. Upon the main facts of fair industrial opportunity there is agreement that too many unskilled workers, among them many peasants, women and children, crowd the cities, increase the evils of home work and child labor and imperil the health and lives of children by overcrowding. It is also known that in smaller communities, labor camps, colonies, and in some industries, notably the steel-mills and canneries, aliens are underpaid, wretchedly housed and, as one woman said, "a blight on our civilization that some people should be allowed or compelled to live as they do in some of our small communities." Distribution is no solution for the prevailing standards of living without other effort on the part of the Government. What, then, constitutes wise and efficient distribution, and what are the results of the artificial distribution already attempted?

In 1907, there was established by the Federal Government a Division of Information

"for the purpose of promoting a beneficial distribution of aliens by publishing information gathered from the several States regarding the sources, products and physical characteristics and to publish such information in

different languages, this to be distributed to admitted aliens who may ask for such information at immigrant stations. States may have representatives at these stations for the purpose of presenting special inducements to immigrants to settle in the respective States."

This bureau has but a small appropriation. It has collected information regarding labor in various parts of the country and its chief work has been in finding employment. Its work for a considerable time was limited to furnishing farm laborers and domestics only, and it was prohibited from distributing information on board ship or at ports of entry. The provision that information should be furnished *on request only* has resulted in a very limited distribution of information, as most aliens are ignorant of its existence. The average number of persons furnished employment per year is about 4,000, while information is given to three or four times this number. This bureau is not popular and each year its abolition is recommended. A bill introduced in February, 1910, providing for the establishment of branches in various parts of the country and for the regulation of private employment agencies doing an interstate business, failed of passage. With one or two exceptions the States have not availed themselves of the privilege of having representatives at immigration ports.

The restrictions upon the activities of the bureau are due to the fear that immigration would be encouraged and laborers directed to places where there was an over-supply of labor. Had the opposition concerned itself with directing and constructing the work of this bureau, with developing a domestic policy while endeavoring to fortify the external policy of exclusion, in other words, judicially balancing the two, a memorable beginning in our domestic policy would have been made.

On the subject of this bureau the Federal Immigration Commission recommends :

" Since the distribution of the thrifty immigrant to sections of the country where he may secure a permanent residence to the best advantage, and especially where he may invest his savings in farms or engage in agricultural pursuits, is most desirable, the division of information should be so conducted as to co-operate with States desiring immigrant settlers; and information concerning the opportunities for settlement should be brought to the attention of immigrants in industrial centres who have been here for some time and who might be thus induced to invest their savings in this country and become permanent agricultural settlers. The division might also secure and furnish to all laborers alike informa-

tion in showing opportunities for permanent employment in various sections of the country, together with the economic conditions in such places."

A wise and comprehensive distribution scheme, as a part of the process of assimilation, would make this Division something more than a labor agency. It would invest it with powers to study the problem of congestion and distribution, to issue publications regarding opportunities in the whole country, and enable it to become the clearing-house not only in actual distribution, but in education. Here should be worked out the principles and methods of establishing uniform State agencies to be recommended to States and cities. Here States should be able to turn for suggestions and co-operation. The establishment of a series of Federal employment agencies may indeed be one very important part of the work of distribution, but furnishing men with a needed job to-day is not more important than knowing how and under what conditions other jobs are furnished and what opportunities there are for fitting the man into a place of progression. This is especially true when the work of such a bureau represents less than one per cent. of the total number of persons placed through employment agencies. Regardless of the number of branches the Government may establish, private agencies will never cease to need control.

A number of the States have adopted a somewhat uniform policy with reference to the distribution of the unemployed in the establishment of free employment agencies. Unfortunately, with a few exceptions, the establishment of these bureaus has not been accompanied by a corresponding wise regulation of private agencies, and they have suffered because of insufficient appropriations and excessive competition. The principle of State bureaus has not yet been intelligently applied as a remedy for the immigrant unemployed. The extension of such State agencies co-operating with Federal bureaus and of State regulation of private agencies supplementing Federal action is a sound domestic policy.

A second important State action has been the establishment of bureaus, departments, boards or commissions of immigration. Some dozen States already have such bodies, chiefly in the South and West. They are located, with the exception of New York, chiefly in States desiring settlers and wishing to develop their industries and resources. With the exception of New York State, any non-resident of the

State is considered an immigrant, and these bureaus have for the most part confined their attentions to Americans residing in other States. They have hitherto dealt more largely with the land than with the labor problem and not at all with education or protection. In New York, the recently established Bureau of Industries and Immigration is too new and has so many complicated duties to perform that no estimate can be given of what its work in this direction will include. Departments of Agriculture in a number of States, including New York, have farm labor bureaus which are an important factor in distribution and two States have temporary congestion commissions which are investigating conditions.

There is, therefore, a well-defined policy with reference to unemployment and distribution consisting, first, of Federal and State Employment Bureaus needing extension and co-ordination so that middlemen who now control the furnishing of jobs must give way to the State, as is the case in all other countries. Second, there exist Federal and State Bureaus of Immigration needing development and broader scope and some means of efficient co-operation. Each one now works for itself by more or less wasteful methods—a loss borne chiefly by the immigrant. Third, States regulate private agencies by widely varying laws and are powerless to protect the unemployed going from one State to another, which is characteristic of male unskilled labor. There is a tendency, however, to regulate private agencies by uniform laws. Massachusetts, New York, New Jersey and Pennsylvania have almost identical laws and a similar law is pending in Ohio.

No system of distribution can be deemed a good one which is but temporary—concentrating men in seasonal employments in summer and forcing them to crowd the cities for the winter months; no system can be a good one which sends men away from cities with their advantages to communities or districts where they live like animals, with no opportunities for education, religion or culture; nor can it be a good one where men are segregated and families discouraged or where aliens concentrate in colonies and are cut off from Americanizing influences. Therefore, these various movements can hardly be said to constitute a conscious, well-defined policy.

The question naturally arises, if we are to have a national

and State policy of distribution and of relieving unemployment, do we not therefore need protection for aliens on the part of the nation and commonwealth? We have considered it necessary to protect American institutions and workmen from aliens, as witness the laws forbidding aliens to work in certain occupations; prohibition of aliens from carrying firearms; and forbidding the non-resident family or relative of an alien to bring suit in some of our courts, though the husband or breadwinner may have lost his life in an accident through no fault of his own. Are there not also conditions which may require uniform protective laws for the newly arrived alien?

Under our immigration regulations and by contract with the Government, we have insisted that aliens at Ellis Island shall be rated and routed directly from the island and shall not be detained in New York to be exploited. We have also insisted that they shall be sent to their destinations by the most direct route. We still leave the second-cabin alien to the mercy of runners, boarding-houses and other agents to be detained and exploited as long as they see fit;—even when they have orders for through tickets. In 1910 there arrived at the port of New York alone 137,288 second-cabin passengers, no small number calling for protection. We pay no attention whatever to the time, way or condition in which any alien arrives at his destination or how he is transferred through the various cities. We let practically any one who will act as his guide and informant, regardless of the fact that first impressions of America are from persons who regard him as legitimate prey. How can we possibly expect an alien to be law-abiding, properly respecting and honest, when his first experiences in this country are robbery, overcharging, neglect and frequently instructions to evade the law?

We furnish the alien with no information whatever about our resources, conditions, laws, obligations, rights and duties, leaving that to his own countrymen or to business and political interests that crowd the foreign newspapers with exaggerations and misrepresentations, of which practices the Government itself is ignorant.

Is it unreasonable, or, more dreadful still, unconstitutional, to require that a part of our domestic policy shall be first the establishment of the principle and the necessary machinery for protecting newly arrived aliens on the way to their final

destination? Were this the business of the Government, railways, coastwise steamship lines and transfer companies would co-operate to eliminate discriminations in matters of rates, accommodation, food and transfers which now affect the alien en route to his final destination. Since it has been the business of the State of New York to protect aliens on docks, ferries, boats and trains, complaints and suggestions have been welcomed by transportation lines and improvements made. Frequently the exploitations are petty, and the responsible officials do not know of them. Chicago, the greatest redistribution point in the country, has long fought for an immigrant station as a means of preventing the fraud and abuses incident to the transfer of through alien passengers to the West. It is a short-sighted policy which denies this request and fails to recognize a similar need in other cities.

Is it unreasonable to require that nation and State shall prepare, in languages which he can understand, information which will be of service to the alien? It may be contended that he will not read it, that the word of his friend counts for more. This is true at first. But it opens his mind, sets him thinking, gives him the feeling that the new country is interested in him as an individual, and later, when the need comes, he has more than one source from which to draw. Such information educates his own countrymen who assume to educate him and he is less in their power. Take, for instance, the matter of child labor and the compulsory education law. It is known that many parents and relatives bring in children for the sole purpose of working them. Some are ignorant, others intend to defy the law. Were each alien furnished with a simple statement of the laws of the State where he is going, and with directions for obtaining working-papers, and were foreign Governments asked to impart such information, no alien could plead ignorance and there would be less evasion in cases where children are really entitled to working-papers. I would go a step further—120,509 children under fourteen were admitted to the United States in 1909-10. In some years it is even greater. Is there any reason why the Federal Government should not furnish to each State Department of Education or other designated bureau, at stated intervals to be agreed upon, the name and address of each alien child and that these should be sent to the various school authorities in the State

and the children visited and brought into the school? Of what use are truant officers and schools when hundreds of children arrive weekly and go to various parts of the States, when school authorities have no possible knowledge of their arrival? Steamship companies should also be penalized for false addresses. No system of visiting children will be a great success if such agents give aliens false addresses and such centres as banks and employment agents receive large consignments of aliens which they in turn distribute. The development of an alien child-welfare campaign on the part of nation and States would tend to correct both the neglect and the abuses which especially characterize our treatment of alien children.

There are other matters which fall more particularly within the province of the State, but upon which there has been little agreement and action. The alien workman is the poorest protected of all humanity in this country and is even worse off than the children. Two illustrations show this: In labor camps, the working and living conditions of men are the worst known in the country and the children are the most neglected. In home work, the women are the most exploited. Both industries depend largely upon aliens. We cannot build up a sound country until protection is afforded aliens in the industries which they largely constitute. Every progressive State now has a child-labor law as a part of its policy. No State has any kind of an alien labor law. Every progressive State should add regulation of conditions in labor camps, elimination of home work and the establishment of minimum wage schedules below which it is agreed no person can maintain a decent standard of living. Unless this is done, the restrictionists will find ample arguments in our economic treatment of aliens to force a higher wage rate and standard of living by limiting the supply of alien labor.

Another matter calling for attention is the protection of aliens in the courts—not only an extension of safeguards under treaties, but adequate and efficient interpreter service on which the alien's sole chance of justice so often depends; of information and facilities for communicating with his friends when first taken to the police station; of the use of summons instead of warrants for minor offences, so as to save loss of working time and of jobs and of a more determined effort to secure for him the equal protection of

our laws. There are peculiarities in the alien's condition which make the consideration of a special court or of night sessions of court one of importance. The alien is so often denied a hearing or cannot avail himself of the law, because he is so often a transient. Such a large part of the alien population being male, unemployed or unskilled, thousands pass through a city like New York, either coming or going, with but little money and the possible loss of a job if they delay to have their wrongs righted. They literally run the risk of starving while they are trying to collect wages due or recover losses. Exploiters commit frauds, counting on the immunity which is assured them by a friendless, homeless man, poor and without a knowledge of the language, who cannot afford to obtain justice which is to him an expensive luxury. The experiment of night courts might apply to civil courts, especially in wages cases. Many a workman cannot obtain justice because his presence in court means the loss of a job.

No domestic policy would be complete without some educational programme. Recognizing the limitations of the powers of the Federal Department of Education, there still appears to be no sound reason why it should not be interested in the education of aliens to the extent of studying the facilities now offered for both adults and children. The Federal Immigration Commission made a study of the children of immigrants in schools, but there exists no central organization to put whatever recommendations it may make into practice. The subjects of adult education in English and civics remain untouched by the commission and there are no data showing the progress or methods in use in various States which could be nationalized, as is our public school system. One of the illustrations of this anomaly is that the Bureau of Naturalization requires a knowledge of English and of American institutions, but in no way provides any such instruction. It leaves this entirely to the politician or to the philanthropist, with the result that the examinations are a farce and the process of citizenship undignified and superficial.

It is conceivable that the time will come when a part of the immigration policy of the States will be the establishment of schools of citizenship with regular and graded courses in both English and civics not only to meet naturalization requirements, but to meet industrial requirements.

There is no reason why the work of the courts should not be dignified and simplified by the acceptance of certificates from such established schools under Boards of Education, attesting qualifications for the granting of the various papers, nor is there any reason why such schools should not provide instruction corresponding to the requirements for first, second and third papers. Furthermore, the tendency of legislation is to restrict many occupations to citizens, and trade instruction showing what occupations require citizenship as well as instruction in the requirement of such business would prove highly important to assimilation and to progress.

Night schools for teaching English in various districts with as many different systems as there are teachers; no system of compulsory attendance or truancy officers; miscellaneous lectures on citizenship—all coming at the end of the day, when men and women are fatigued, will not answer the need. It is also conceivable that employers may find the introduction of English classes during work hours not impossible as a means of obtaining greater efficiency and decreasing the cost of industrial accidents, so often due to ignorance of the English language in which orders are given. It is quite possible that State Departments of Education may take an interest in the working out of school methods and text-books to suit the needs of aliens and that State legislatures may see the necessity for an appropriation for schools in camps, and a fund to be applied to localities where numbers of alien families are suddenly placed at work temporarily on contracts. These emergency families not only test the resources of the local school, but impair its efficiency for American children in matters of grading, and so forth. Such a fund might well include transportation where it is necessary and take small children in such communities to school during the severe winter months. Increasing the library facilities for aliens, providing American history in the languages of immigrants—these are but illustrations of what must constitute a wise educational policy. As nation and States we can scarcely be said to have any educational policy whatever at the present time with reference to adult immigrants, and yet for the year ending June 30th, 1910, there were admitted 868,310 persons between the ages of fourteen and forty-four, or eighty-three per cent. of the total.

It is evident that in developing a domestic policy certain

things are within Federal control and others within State jurisdiction. Questions of jurisdiction are easily settled by the judicious division of the field and co-ordination of Federal and State functions. The Federal Division of Information and State Free Employment Bureaus and Federal and State Bureaus of Immigration can advance side by side and by means of each other if the principle is clear and the purpose sound. Such protection as the Federal Government may provide through treaties and national legislation will not interfere with the adoption by States of a uniform body of laws respecting banks, notaries public, emigrant boarding-houses, steamship ticket agents, labor camps, employment, and so forth, which will give the immigrant a much-needed protection. Studies and encouragement of education among alien adults on the part of the Federal Government will not interfere with municipal and State educational work among aliens. The great need is that the Government representatives—Federal and State—should get together and enumerate clearly the principles of a domestic policy and then set about patiently and courageously to work it out, each State according to its needs, and as fast as it can enlighten its communities and bring the vision to Americans who now think assimilation to be entirely a process affecting the alien and that the labor asset is the only one which the alien brings.

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